

FILED

JUL 17 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS O'MEARA,

Defendant.

No. CR-10-00562 LHK

AMENDED STIPULATION AND
~~PROPOSED~~ ORDER
RESCHEDULING STATUS
CONFERENCE; TIME
EXCLUDED FROM THE
SPEEDY TRIAL ACT [DOCKET
#48] AND FURTHER REQUEST
TO EXCLUDE TIME

This matter is currently set for status on July 18, 2012, with a trial date commencing in April 2013. The parties now jointly request that the July 18, 2012 hearing date be reset to July 25, 2012 to facilitate a potential change of plea. The parties have engaged in extensive settlement discussions regarding a resolution of the case, including participating in three settlement conference sessions, both parties believe that the additional time would facilitate a potential disposition of the case. In light of the above, the parties agree, and the Court finds and holds as follows:

1. The currently scheduled July 18, 2012 hearing date is hereby vacated.

2. This matter is set for change of plea or further status on July 25, 2012 at 9:00 a.m.

3. Defendant's presence is required at the July 25, 2012 hearing.

4. On April 4, 2012, this Court excluded time from April 4, 2012 to April 22, 2013 [Docket #48] pursuant to 18 U.S.C. section 3161(h)(7)(A).

5. Further, Defense counsel requests an exclusion of time between July 18, 2012 and July 25, 2012 for continued review of discovery and investigation for effective preparation and representation pursuant to 18 U.S.C. section 3161(h)(8)(B)(iv) and 18 U.S.C. section 3161(h)(8)(a).

SO STIPULATED:

DATED: 7/16/2012

/s/

Jeane DeKolver
Attorney for Tom O'Meara

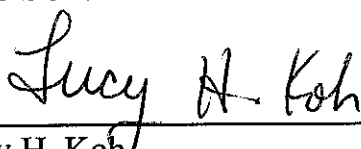
DATED: 7/16/2012

/s/

Joseph Fazioli
Assistant United States Attorney

IT IS SO ORDERED.

DATED: 7/17/12


Lucy H. Koh
United States District Judge